

Message Text

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PAGE 01 STATE 062850

14

ORIGIN L-03

INFO OCT-01 AF-10 ADP-00 DODE-00 PM-09 CIAE-00 INR-10

NSAE-00 RSC-01 CPR-02 /036 R

DRAFTED BY L/ AF: BKHUFFMAN: MMP

4/3/73 EXT 23736

APPROVED BY AF/ E: HRMELONE

L/ M/ SCA: HFSHAMWELL

DOD/ OSD/ GC: MR. COHEN

DOD/ ISA: COL. STEPP

----- 112759

R 050132 Z APR 73

FM SECSTATE WASHDC

TO AMEMBASSY ADDIS ABABA

UNCLAS STATE 062850

E. O. 11652: N/ A

TAGS: PFOR, ET

SUBJECT: MAAG OFFICER' S IMMUNITY

REF: ADDIS 2780

1. IN U. S. FILING OF CRIMINAL COMPLAINT OR APPEARANCE AS PROSECUTING WITNESS DOES NOT NECESSARILY ENTAIL WAIVER OF IMMUNITY FROM CRIMINAL PROSECUTION. SPECIFIC WAIVER IN THIS REGARD IS REQUIRED. ALSO SUCH ACTIONS DO NOT CONSTITUTE WAIVER OF IMMUNITY RESPECTING SEPARATE CIVIL SUIT BY DEFENDANT AGAINST WITNESS OR COMPLAINANT.

2. HOWEVER, ISSUE RAISED REFTEL REQUIRES ANALYSIS OF ETHIOPIAN LAW AND PRACTICE. ACCORDINGLY, EMBASSY SHOULD SEEK UNEQUIVOCAL OPINION OF MOFA LEGAL ADVISOR OR MINISTRY OF JUSTICE OFFICIAL BEFORE MAAG OFFICER FILES CRIMINAL COMPLAINT. IF IEG OFFICIALS CONCLUDE FILING WOULD CONSTITUTE WAIVER OF IMMUNITY, WE WOULD RECOMMEND MAAG OFFICER DROP PLANS FOR CRIMINAL ACTION AND EMBASSY CONSIDER ALTERNATIVE OF ADDRESSING INCIDENT THROUGH DIPLOMATIC CHANNELS.

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3. DOD CONCURS. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 05 APR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE062850
Document Source: CORE
Document Unique ID: 00
Drafter: BKHUFFMAN: MMP
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730434/aaaahqza.tel
Line Count: 69
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 73 ADDIS 2780
Review Action: RELEASED, APPROVED
Review Authority: kellerpr
Review Comment: n/a
Review Content Flags:
Review Date: 26 NOV 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26-Nov-2001 by averetam>; APPROVED <28 FEB 2002 by kellerpr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 971201
Subject: MAAG OFFICER' S IMMUNITY
TAGS: PFOR, ET
To: ADDIS ABABA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005